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† New York 2nd Dept Appellate Division
† Federal District Court of the Eastern District of New York
† Federal District Court of the Southern District of New York
† Republic of Guyana

Main Mailing Address: 1557 Buford Dr., 491930, Lawrenceville, GA 30049

October 14, 2024

Hon. Vera M. Scanlon
225 Cadman Plaza East
Brooklyn, NY 11201.

Re: Gustavia Home, LLC v. Hoyer et al
Index No.: 1:16-cv-04015-PKC-VMS

Request to Vacate Order of Sanctions

Dear Judge Scanlon,

Please allow this letter to serve in lieu of a more formal motion to vacate the Order of Sanctions, filed on May 30, 2024, that instructed me to update my PACER account with the current address or risk being sanctioned by the Court.

It should be noted that when I checked my address on PACER, there was no need to update my address, since the current address, as per my office's account, was already recorded therein and had no need for a change. It was, however, my negligence in not ensuring that this letter was uploaded sooner even though we completed the letter prior to today's deadline.

It had been claimed that a different address had appeared when my name was submitted to PACER. Consequently, it is apparent that this information was due to either Court error or an error within PACER, and not a result of any mistake on my part.

Additionally, I was away last week; however, the outstanding sanctions payment shall be submitted to the clerk's office this week in order to be in substantial compliance with the upstanding Order.

Thanking the court in advance for their consideration of this application. I have attached a copy of the Order and Pacer Information.

Please feel free to contact my office at any time regarding the matter.

Respectfully,

Nigel E. Blackman, Esq.

		<p>Defendants in fact did not receive notice of the post-judgment filings in this case, that failure is due to their counsel's lack of diligence, and not any mistake or bad faith on the part of Plaintiff.</p> <p>If the Individual Defendants wish to supplement their response to the Courts 4/4/2024 Order to Show Cause, they may do so by 4/22/2024. Plaintiff may thus have until 4/29/2024 to respond. The Court directs Plaintiff Gustavia Home to serve this order on all Defendants--including Mr. Blackman, using the address listed in his 122 declaration--by overnight mail and first-class mail. Ordered by Judge Pamela K. Chen on 4/17/2024. (HMM) (Entered: 04/17/2024)</p>
04/19/2024	123	AFFIDAVIT/AFFIRMATION of Mailing by Gustavia Home, LLC (Weinberg, Seth) (Entered: 04/19/2024)
05/13/2024		ORDER: On April 17, 2024, the Court directed Nigel Blackman, counsel for the Individual Defendants, to reach out to the Clerk's Office to update his address in PACER immediately. To date, Blackman has not complied. Accordingly, Blackman is ordered to update his contact information in PACER by May 20, 2024 at the latest. Blackman is warned that failure to comply with this Order may result in sanctions. Ordered by Judge Pamela K. Chen on 5/13/2024. (HMM) (Entered: 05/13/2024)
05/30/2024		ORDER OF SANCTION: The Court has twice instructed Mr. Blackman (<i>see</i> Orders 4/17/2024 and 5/13/2024) to update his PACER account with his current address or risk being sanctioned by the Court. To date, Mr. Blackman has failed to comply with this Court's order. Mr. Blackman is hereby sanctioned and ordered to pay the amount of \$200. The payment shall be made payable to Clerk, US Court, EDNY. Counsel is directed to both update his contact information and file proof of payment of the sanction fee by 7/14/2024 or risk being sanctioned an additional \$200. Ordered by Judge Pamela K. Chen on 5/30/2024. (FG) (Entered: 05/30/2024)
06/03/2024		ORDER TO SHOW CAUSE: By June 14, 2024, Plaintiff is directed to show cause, in a letter of up to three (3) pages, as to whether this Court has jurisdiction to grant the relief requested in 118 while this matter is on appeal. Ordered by Judge Pamela K. Chen on 6/3/2024. (HMM) (Entered: 06/03/2024)
06/03/2024		ORDER: Plaintiff Gustavia Home is directed to serve the Court's 6/3/2024 order on all Defendants by overnight mail and first-class mail. Ordered by Judge Pamela K. Chen on 6/3/2024. (HMM) (Entered: 06/03/2024)
06/04/2024	124	AFFIDAVIT of Service for Electronic Order served on All Defendants and Referee on 6/4/2024. filed by Gustavia Home, LLC. (Weinberg,

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Username *

Nigel236

Password *

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Account Number	3135012
Username	NigeQ36
Account Balance	\$99.40
Case Search Status	Active
Account Type	Upgraded PACER Account

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U.S. District Courts

New York Eastern District Court

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U.S. Bankruptcy Courts

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